

# One Missouri

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## Reauthorization of TEA-21



December 2002

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# Introduction

The Missouri Department of Transportation, representatives from the state's transit providers, and representatives from the state's metropolitan and regional planning agencies developed this position paper in a joint effort to identify and support the issues that are critical in the reauthorization of TEA-21. This paper includes position statements, key issues and detailed backup information.

We are asking the Missouri Congressional Delegation, transportation stakeholders and interested individuals to support and pursue these issues as the U.S. Congress moves forward with the reauthorization of the next transportation act.

We believe and support these general concepts in the overall efforts to reauthorize TEA-21:

- The reauthorization of the transportation act must be a priority of Congress with passage prior to the expiration of TEA-21.
- The next transportation act must be an enhancement of TEA-21, not a major rewrite, and retain a national perspective with its focus on the National Highway System and major structures.
- The reauthorization legislation must provide dedicated funding that will support the legislated programs.
- The reauthorization legislation must provide an opportunity for metropolitan and non-metropolitan local officials to be involved in the development of the transportation direction.

All of the participants believe and support the above reauthorization general concepts. The following Key Issues are brief explanations of items of key interest to all participants. They are followed by detailed discussion of reauthorization related issues.

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# Key Issues

## **Prompt Passage**

The next transportation bill must receive priority attention in Congress that will allow passage prior to the expiration of TEA-21.

## **Retain TEA-21 Direction**

The reauthorization of TEA-21 must continue the philosophy of ISTEA and TEA-21. Some enhancement of existing programs may be needed but continue the overall direction of TEA-21.

## **No Unfunded Mandates**

Congress must insure that there is a corresponding stream of resources that will fully fund any mandate that is included in the reauthorization of TEA-21.

## **Highway Trust Fund Diversions**

Highway Trust Fund dollars must not be diverted to fund other programs.

## **Funding of High Priority Projects**

Funds for high priority highway and transit projects should continue to be funded outside of the formula allocations.

## **Increasing Funding Resources for Transportation**

Missouri believes Congress must consider all existing and possible new revenue sources beyond the Highway Trust Fund as resources to address the nation's transportation needs.

## **Equitable Fund Distribution**

Congress must continue to address the concerns of the donor states, such as Missouri, and ensure that the equitable distribution of funds is a reauthorization priority.

## **Protect Firewall**

Reauthorization of TEA-21 must ensure the concept of firewalls remains intact.

## **Guaranteed Funding**

Missouri recommends that minimum guarantees for highway and transit programs be continued in the reauthorization of TEA-21.

## **Support the Continuation of RABA**

Revenue Aligned Budget Authority should be continued to ensure that Highway Trust Fund revenues are used for transportation purposes.

## **Retain State Infrastructure Bank Program**

Missouri supports the continuation of the State Infrastructure Bank program.

## **Transit Funding Flexibility**

The reauthorization should include language that would allow metropolitan areas flexibility in the use of funds for operational expenses.

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### **Transit Capital Funding for Bus Projects**

The federal funding programs must continue to maintain at least 20 percent of transit capital funds for bus projects.

### **Support the Involvement of Local Officials in the Planning Process**

Missouri fully supports the involvement of local officials in the transportation planning process.

### **Coordinated Security and Emergency Preparedness Plans for Homeland Security Programs**

Missouri believes that security and emergency preparedness plans must be coordinated with state and metropolitan transportation plans.

### **Time Limits on CMAQ Operating Project Funds**

The current three-year time limit for funding new operating projects with CMAQ funds should be extended. Missouri would suggest five years instead of three years.

### **Air Quality Conformity Coordination**

Current regulations require demonstrations of conformity for 10-year increments throughout the life of the Long-Range Transportation Plan. State Implementation Plans have a horizon of only 10 years while LRTPs must cover at least 20 years. Missouri recommends that conformity analyses should be limited to the longest period covered by both plans.

### **Continue with the Concept of Environmental Streamlining as included in TEA-21**

TEA-21 has language for the concept of environmental streamlining. Missouri proposes no substantive change to that language. The U.S. DOT/FHWA/FTA must move forward with the regulatory process for all related agencies to implement the Environmental Streamlining process as directed in TEA-21.

### **Support a Rural Safety Program**

Congress should recognize the nation's transportation safety issues with support within existing program that will allow the states to address high fatality and crash locations.

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# General Discussion

## Prompt Passage

### *Missouri Position:*

***The reauthorization of TEA-21 should receive priority attention in Congress that will allow passage prior to the expiration of TEA-21 on September 30, 2003.***

The U.S Congress should move forward with the reauthorization of a new transportation act prior to the expiration of TEA-21. The following points are supportive positions for that action:

- The prompt passage of the new legislation would allow for the continuation of existing programs without interruption.
- It usually takes time to write implementing regulations that apply to the passage of a new transportation act. The sooner this can be done, the sooner states and local governments can implement Congressional intent.
- It takes time for new programs to be implemented. Early passage will support earlier implementation.
- Congress has traditionally identified "High Priority" projects. Early passage will enable the state and local officials to implement these important projects.

## Retain TEA-21 Direction

### *Missouri Position:*

***The reauthorization of TEA-21 should retain the direction established by ISTEA and TEA-21.***

***All increased funding must be directed to existing highway and transit programs and avoid creating additional programs.***

The federal transportation act establishes programs and funding for transportation needs. The reauthorization of the federal transportation act should place its greatest emphasis on the National Highway System and major bridges.

The interstate system is the country's most important ground transportation system for the movement of people and goods. This network of roadways serves the entire nation. It has been over 50 years since its inception and many portions of it need major rehabilitation. It is imperative that the nation keeps this system in top condition to support the country's economic viability and provide for the safety of the nation's travelers.

The major bridges are those that cross this country's major rivers, streams and lakes. Many are in need of repair or replacement. The repair or replacement of each structure will be a very expensive undertaking. The reauthorization should designate major bridges as an identified need and fund these needs with separate, identifiable funding programs.

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All additional funding should be incorporated into existing highway and transit programs rather than be used to create additional discretionary programs or other new programs.

Retain the core structure of TEA-21. The current program formulation -- including a robust planning process based on state and local decision-making, an emphasis on the natural and human environments, innovation and research, guaranteed and more stable funding levels, and an intermodal emphasis -- are in line with current and expected transportation demands and should be retained.

As identified in the Southern Governor's Association Transportation Task force, retaining the core structure of TEA-21 in the next legislation involves 3 basic goals:

- Avoid the creation of additional funding categories, mandates or set-asides.
- Ensure guaranteed spending levels to provide for strong planning and program delivery.
- Ensure transportation dollars remain in transportation through appropriate budgetary firewalls.

## Unfunded Mandates

***Missouri Position:***

***A corresponding revenue stream must support any mandate in the reauthorization of TEA-21.***

On occasion, legislative bodies will pass legislation that requires the state or local government to carry forward with a policy and/or program. The transportation infrastructure needs of this country are enormous. The infrastructure is aging, the capacity is lacking in some areas, there is a need to support the national economy and we must protect our environment. The Highway Trust fund was established for the purpose of meeting transportation needs. The nation cannot meet these needs by using these dedicated funds to support other mandates.

## Highway Trust Fund Diversions

***Missouri Position:***

***Highway Trust Fund money must not be diverted to other support other programs.***

The funds that are deposited in the Highway Trust Fund are funds that are collected for transportation programs. These funds must be secured for the preservation and renovation of the nation's transportation system.

## Funding of High Priority Projects

***Missouri Position:***

***Funding for high priority highway and transit projects should continue to be funded outside of federal formula allocations.***

In Missouri, many needed projects critical to our safety, congestion relief and economic recovery and development will be impossible to undertake without additional federal funding. Earmarks

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for demonstrations and high priority projects, above the level of federal formula allocations, must be allowed for specifically identified construction and rehabilitation needs throughout the state.

## Increasing Transportation Funding Resources

### ***Missouri Position:***

***U.S. Congress must support activities to explore additional methods to fund transportation needs.***

***Hold the Highway Trust Fund harmless from revenue diversions and tax incentives that encourage gasohol consumption while benefiting other groups and addressing energy and environmental concerns.***

***Credit the Highway Trust Fund with the \$350-\$400 million per year in annual revenue from the 2.5 cents per gallon of fuel tax on gasohol that is credited to the General Fund of the Treasury.***

***Increase federal investment for community and rural transit systems.***

***Develop new and innovative investment strategies for community and rural transit.***

***All regulatory burdens placed on community and rural transportation must be examined to ensure necessity and efficiency.***

Congress must consider revenue sources beyond the Highway Trust Fund to meet the nation's transportation needs. It is unlikely that HTF revenue growth will keep pace with highway and transit needs, making it imperative that Congress examine other viable revenue options -- including spending HTF balances and increasing the use of general revenue.

Significant investment in transportation infrastructure is critical to Missouri. Although TEA-21 provided a successful framework for delivering federal funding for highways, bridges and transit, continued growth in this investment is critical to maintaining the nation's and Missouri's transportation system.

The American Association of State Highway and Transportation Officials has proposed increasing highway funding approximately 4 percent per year to \$41 billion by 2009. The American Public Transportation Association recommends increasing federal transit funding by 12 percent annually to approximately \$14 billion by 2009. Missouri supports funding transportation programs at the highest levels possible and supports the AASHTO and APTA positions on annual funding increases.

The Highway Account of the Highway Trust Fund also should be provided with additional funds, from the General Fund, to replace the loss of revenues due to the 5.3 cents-per-gallon gasohol tax incentive, approximately \$700 million per year. To encourage the use of ethanol, current federal tax incentives provide a 29.3 percent lower tax rate for gasohol, currently 13.1 cents/gallon for gasohol containing 10 percent ethanol. This is 5.3cents/gallon less than the 18.4 cents/ gallon rate for gasoline. The gasohol tax incentives support the agriculture community, including corn and grain farmers and related businesses.



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The Highway Trust Fund does not receive the entire 13.1 cents per gallon tax imposed on gasohol. The General Fund receives 2.5 cents of those 13.1 cents per gallon.

Public and community transit are vital ingredients to our nation's future success and must be key elements in assuring both mobility and choice. A society that now includes a growing population of seniors needs new and expanded public and community transit alternatives that allow seniors continued mobility and choice. Our nation's population is growing. The necessity for public and community transit is increasing even more rapidly. Using current census data, it is projected total U. S. population will grow 5.7 percent during the period covered by TEA-21's reauthorization. During that same period of time, that portion of the population over 85 will increase four times the national growth rate (+29.5 percent). Other constituents of the nation's transit-dependent population -- seniors age 65 and older, persons with disabilities, poor families -- also are growing at a rate nearly double that of our country as a whole (+10.4 percent). The nation's transit investment has traditionally been focused on urban areas without fully acknowledging that people in small communities and rural areas are in great need of expanded transit services. At the same time, community and rural transit face the same federal regulations as large urban public transit systems, often crippling the smaller rural public transit systems. It is essential that community and rural public transit systems have a stable and guaranteed funding level to allow appropriate planning and consistent levels of service.

## Equitable Fund Distribution

### ***Missouri Position:***

***Congress should ensure that equitable distribution of funding is a priority in the reauthorization of TEA-21.***

Missouri has significant and growing highway and transit needs that far exceed state, local and federal funding. Federal funding has not kept pace with this growth and the revenue received at the federal level is less than that contributed by the state's citizens.

- Missouri strongly supports that all receipts in the Highway Account of the Highway Trust Fund are made available for the program, including the uncommitted cash balance.
- All highway user fees are in fact deposited in the Highway Trust Fund.
- Missouri will support or consider other revenue enhancements, as appropriate, to bring revenue more in line with documented needs.

## Protecting the Firewall and Guaranteed Funding

### ***Missouri Position:***

***It is important to maintain the firewall and defend this position to the maximum extent possible.***

***Missouri strongly recommends that minimum guarantees for both highway and transit programs be continued in the reauthorization of TEA-21.***

Every effort should be made to ensure that the concept of firewalls remain intact through TEA-21 reauthorization.

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A key way to do this is to maintain both the firewalls and the guaranteed funding levels for both highway and transit programs, including the continuation of guarantees from the general fund.

America's infrastructure needs are staggering. For highway, we easily could spend billions more per year at the federal/state level, but we could still not meet needs. Large levels of backlogged requirements also exist in our bridge and transit programs.

Transportation accounts for over \$1 trillion in commerce annually. For every \$1 billion in investment in highways, an estimated 42,000 jobs are created. If funding is inadequate, the condition and performance of our highway and transit infrastructure will decline, resulting in increased congestion, pollution, fatalities, and injuries, all of which adversely affect economic vitality, job retention and creation, and international competitiveness.

A significant feature of TEA-21 is the guaranteed level of federal funding for highways/bridges and mass transportation.

New budget categories were established for highway and transit discretionary programs and all other domestic discretionary programs.

The firewalls allow revenue in the Highway Trust Fund to be spent for their intended, dedicated purposes.

Current law provides that funds deposited in the HTF can be used for their specific purpose, transportation investment. Firewalls help ensure that all receipts deposited into the HTF may be spent.

TEA-21 established a budgetary "firewall" between transportation programs and other federal funding programs. The firewall eliminated competition between transportation and other domestic programs and virtually eliminated the possibility that highway and transit funding would be reduced in order to increase funding for other domestic programs.

This concept also contained minimum "guaranteed" amounts for highway and transit programs each year of the TEA-21 authorization. These guarantees provided an assured source of funding not subject to annual debate and controversy. Funding beyond the "guaranteed" level was authorized, but subject to competition with other domestic discretionary programs during annual appropriations. All states should achieve a minimum of 95 percent return on their payments made into the Highway Trust Fund.

Guaranteed funding has provided MoDOT and the state's transit operators with predictable sources of funding and has allowed enhanced planning and budgeting for infrastructure improvements.

The Federal-aid Highway Program is financed from the Highway Account of the Highway Trust Fund. The principle of financing adopted in TEA-21 assumes that the program level is set to assure that all receipts in the Highway Account are spent to support the program. This principle is known as guaranteed spending.

As of the end of Federal fiscal year 2000, the Highway Account of the Highway Trust Fund has a cash balance of \$22.6 billion. This balance results from the combination of factors including a \$6 billion beginning cash balance in the Highway account and the constrained program level during the first two years of TEA-21.

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TEA-21 includes a mechanism designed to assure that all Highway Account receipts are spent. This provision is known as Revenue Aligned Budget Authority. However, this provision didn't begin to affect the program level until FY 2000. Thus, the funding for the first two years of TEA-21 was limited to the authorizations provided in the act.

## **Support the Continuation of Revenue Aligned Budget Authority**

### ***Missouri Position:***

***Missouri supports the continuation of RABA as a fundamental tool to carry out Congressional commitment to spend all available Highway Trust Fund revenues for their intended purposes.***

There are proven transportation infrastructure needs beyond the funding levels provided through RABA, and these user fees should be used to address these growing needs. Therefore, Missouri opposes allowing funds to accumulate in the Highway Trust Fund.

At the end of Federal Fiscal Year (FFY) 2000, the Highway Account of the Highway Trust Fund has a cash balance of \$22.6 billion. This balance results from a combination of factors, including a \$6 billion beginning cash balance in the Highway Account and the constrained program level during the first two years of TEA-21.

Beginning in FFY 2000, authorization for federal-aid highway programs funded from the Highway Account have been adjusted whenever the highway firewall amount is adjusted to reflect changed actual revenues, compared to prior estimates, that is, the budget authority is aligned with the revenue.

TEA-21 includes a mechanism designed to ensure that all receipts from the Highway Account of the Highway Trust Fund are spent. This provision is referred to as Revenue Aligned Budget Authority.

In the case of a funding increase, the additional funds are distributed across allocated and apportioned programs in the same ratio as they are funded under TEA-21. RABA provides additional apportionments as well as additional spending authority. The distribution of RABA insures that all revenues coming into the Highway Trust Fund are spent for their intended purpose – transportation. However even with RABA, the nationwide needs of the transportation system continue to far outweigh funding availability. RABA funds are distributed through the Core Highway Programs.

The first three years of RABA resulted in significant increases to the program due to economic prosperity. A downturn in the economy will result in reductions in authorizations. The legislation should contain language that will hold the allocations at approved levels that will not allow reductions in authorization.

RABA has grown from approximately \$1.5 billion in FFY 2000, to \$3.0 billion in FFY 2001, to \$4.5 billion in FFY 2002.

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## Retain the State Infrastructure Bank Program

### ***Missouri Position:***

***The reauthorization of TEA-21 must include the retention of the State Infrastructure Bank.***

The National Highway System Designation Act of 1995 and the 1997 Transportation Appropriations Act established State Infrastructure Banks (SIBs). ISTEA & SIB grant funds were used to capitalize the bank. Federal Funds lost their federal identity as loans were repaid back into the bank.

TEA-21 prohibits the use of federal funds to capitalize the SIB, except in four select states: Rhode Island, Florida, Missouri and California.

Missouri also has continued to capitalize the SIB with Federal funds under TEA-21 with a total \$20 million capitalized since TEA-21 passed. The state plans to add \$55 million more Federal funds to the SIB in the future. Missouri has combined these funds with the pre-TEA-21 funds and loaned more than \$62 million from the SIB to eight projects that total over \$272.9 million.

The original provisions of the NHS Designation Act and the 1997 Transportation Appropriations Act should apply on money repaid to the bank from non-federal sources and used on subsequent loans. This funding has become “state” funding at this point, and therefore state laws should apply.

Continue the various innovative finance techniques in future transportation legislation in a manner that is equitable to all states.

## Transit Funding Flexibility

### ***Missouri Position:***

***Missouri believes the transit program must have flexibility in the use of operating and capital funds.***

A change should be made in the reauthorization of TEA-21 to provide for continued flexibility in the use of Federal Transit Administration Section 5307 funds. The proposal would permit urbanized areas that grow from less than 200,000 population to more than 200,000 population, based on the 2000 Census, to use an amount of federal transit funds equal to the amount allocated to the Metropolitan Planning Organization. Also, we recommend that the Transportation and Related Agencies Appropriations bill provide the same operating authority for these transition agencies to bridge the current authorization bill to the new authorization bill.

Current law provides transit authorities in urbanized areas of less than 200,000 population the flexibility to use federal funds made available under the Section 5307 Formula program for either capital or operating expenses. Local transit boards, MPO's and elected officials are able to determine where to invest their Section 5307 federal resources to maximize the benefits of transit investment. Many transit agencies in this category use a significant portion or all of the federal formula funds for operating expenses. With the recent completion of the 2000 Census,

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there are a number of transit agencies and UZAs that will transition from less than 200,000 to more than 200,000 in population. Absent a change in current law, this transition would eliminate the flexibility that permits these transit agencies to use formula funds as needed. At the same time, these systems are often located in some of the fastest growing areas in the country and require greater flexibility to address the growth needs of their local communities.

Federal transit programs also should allow Bus Rapid Transit projects costing less than \$50 million to qualify for multi-year “New Start” funding (Full Funding Grant Agreements) without having to submit burdensome “New Start criteria” designed for large rail projects, and without having to build expensive dedicated guideways, which are unnecessary for successful BRT operation.

Bus Rapid Transit is an emerging transit technology with great potential. It offers benefits similar to rail transit, but at a much lower cost. BRT options are under consideration in Missouri and the federal government should provide financial support.

## **Transit Capital Funding - “No less than 20 percent to bus programs”**

### ***Missouri Position:***

***Federal funding programs must maintain a balance between urban and rural transit needs and between bus and rail transit needs. It is imperative that at least 20 percent of transit capital funds continue to be reserved for bus projects***

TEA-21’s transit programs benefit the many diverse transit needs in Missouri. Under ISTEA and TEA-21, 20 percent of federal transit capital has been reserved for bus projects (“bus capital”), 40 percent for rail New Start projects and 40% for Rail Modernization. For Missouri’s smaller cities and rural areas, bus capital funding has been instrumental in replacing aging rolling stock, upgrading facilities and equipment, and making necessary transit improvements.

## **Involvement of Local Officials**

### ***Missouri Position:***

***Involve local officials in the planning process. Missouri believes in the involvement of local officials in the transportation planning process.***

Congress should provide rural local officials the opportunity for cooperative involvement in the planning process and encourage state DOTs to use existing regional development organizations, when available; and to facilitate the involvement of local elected officials in the statewide planning and investment process.

A compromise position that was jointly developed by AASHTO, NACo and NADO in the fall of 2002 should be adopted as a framework to move forward with the state/local official cooperative process.

According to a National Academy of Public Administration report, the benefits of involving local officials and stakeholders in rural transportation planning are overwhelming. Meaningful

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participation helps build more trust in government, results in better plans and programs, and generates more support for implementing plans and projects, all of which contribute to the improved performance of the transportation system.

Reauthorization of TEA-21 should maintain cooperative decision-making among states and local communities. Missouri believes that the reauthorization of TEA-21 should continue to encourage states to actively coordinate with metropolitan and rural planning organizations in transportation planning and decision-making to ensure that transportation investments address community objectives and mesh with an overall community-planning framework. The current planning process under TEA-21 enhances the quality of Missouri's transportation decisions and is critical to the broad-based partnerships necessary to support sound management of our transportation system.

## Homeland Security

### ***Missouri Position:***

***Missouri believes that new obligations for transportation planning and response activities related to Homeland Security must be accompanied with new revenue sources.***

As Homeland Security considerations are incorporated into the reauthorization of TEA-21 Missouri believes that security and emergency preparedness plans must be coordinated with state and metropolitan transportation plans. This will ensure that efforts to respond to security events are well coordinated at the state and metropolitan level and that contingency planning includes transportation facilities, services and agencies.

Further, efforts to identify critical transportation facilities and infrastructure that may warrant higher levels of monitoring, surveillance and/or protection should be shielded from public disclosure requirements.

Major transportation facilities and services could be targets of mass destruction, while at the same time serving as critical parts of a community's ability to respond to threats. Efforts to improve security and response preparedness may not be rapid, easy or inexpensive, and will require extensive coordination between the wide array of agencies and institutions with responsibilities for Homeland Security.

## Air Quality Conformity Coordination

### ***Missouri Position:***

***The Congestion Mitigation/Air Quality program should be continued in the new law as long as the program assists both non-attainment and maintenance areas in achieving and sustaining compliance with federal clear air standards.***

***Current regulations require demonstrations of conformity for 10-year increments throughout the life of the Long-Range Transportation Plan. State Implementation Plans have a horizon of only 10 years while LRTPs must cover at least 20 years. Missouri recommends conformity analyses should be limited to the longest period covered by both.***

***Change the time limits on CMAQ operating project funds. The current three-year time limit for funding new operating projects with CMAQ funds should be extended. Missouri would suggest five years instead of three years.***

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Because of upcoming changes to federal pollution standards, more areas of the country are expected to be in non-compliance with federal standards, and as a result, more areas will be eligible for funding under the CMAQ program. The pool of national funds for the CMAQ program should be expanded to ensure that areas currently receiving CMAQ funds do not experience funding decreases as the result of an increase in the number of areas eligible for CMAQ funding.

Missouri proposes several changes in the federal transportation legislation to enhance consistency between air quality determination and transportation planning processes:

- Require that both SIPs and metropolitan transportation plans be updated at least every five years, with the timing of those updates coordinated to ensure proper alignment of the planning processes.
- Require that changes in planning assumptions and methods (i.e., Mobile 6) be incorporated in the SIP prior to use in air quality conformity determinations associated with transportation plans.
- Remove the requirement for conformity determinations on TIPs. Conforming both metropolitan transportation plans and TIPs, which, by law, must be consistent with metropolitan plans, is redundant and adds little, if any, value to the transportation or air quality planning and implementation processes.

State Implementation Plan, metropolitan transportation plans, and Transportation Improvement Programs all have different planning horizons and update requirements. SIPs are targeted to attainment dates and have no regular update cycles; metropolitan transportation plans have a minimum 20-year horizon and must be updated at least every three years; and Transportation Improvement Programs have a minimum three-year horizon and must be updated at least every two years. These differing timeframes can adversely affect the integration of transportation and air quality plan development and implementation, and they often result in data and methodological inconsistencies between the air quality and transportation planning processes.

## Environmental Streamlining

### *Missouri Position:*

***Missouri proposes no substantive change in the Major Investment Study language contained in TEA-21. MIS should continue to be identified as a component of a seamless planning and NEPA process. States should, nevertheless, be given flexibility in applying the MIS requirement, based on agreements with Metropolitan Planning Organizations and other regional planning commissions with transportation responsibilities.***

***The U.S. DOT/FHWA/FTA must move forward with the regulatory process for all related agencies to implement the Environmental Streamlining process as directed in TEA-21.***

Most delays in project development are, arguably, caused more by administrative action than statutory deficiency. Therefore, addressing those delays requires administrative responses. Missouri proposes that the new legislation direct U.S. DOT and major resource agencies to develop binding memoranda of understanding that detail the roles and responsibilities of agencies in the NEPA process for major federal transportation actions. These memoranda, to be developed within a specified time period, should establish the decision-making responsibilities

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of the lead agency, the triggers and time frames for cooperating and resource agency involvement and comment, and the decisions and issues not subject to review once the NEPA process has reached a certain stage. The memoranda should specifically recognize issues related to the integration of the transportation planning and NEPA processes.

Expediting project delivery is an important local, state and national goal. Institutional delays in moving projects to implementation are affecting the transportation community's ability to respond quickly to critical needs. TEA-21's approach to this issue was to streamline some environmental procedures and to eliminate Major Investment Studies as a separate requirement, integrating the MIS into existing planning and NEPA procedures. The problem, however, does not appear to be with the MIS process itself. Major Investment Studies have proven to be an effective means of examining a broad range of multimodal alternatives within an environment of proactive public involvement. The problem stems chiefly from the lack of resources and other coordinating agency involvement early in the planning process, the questionable NEPA standing of local policies and decisions made in the planning process, the lack of agency accountability and responsiveness during the NEPA process, and the authority of lead agencies to maintain decisions made during the NEPA process, especially decisions concerning purpose and need and the range of alternatives studied.

## Rural Safety Program

### *Missouri Position:*

***Congress should recognize the nation's transportation safety issues with support within existing programs that will allow the opportunity for states to address high fatality and crash locations.***

***This program should provide funds each year to help state and local governments address rural road safety issues such as improving alignments, widening lanes and shoulders, installing and upgrading guardrails, installing rumble strips, improving sight distance, and improving lighting, signage and pavement markings.***

Roughly 60 percent of U.S. traffic fatalities in 1999 took place on rural two-lane roads according to a 2000 report by the General Accounting Office that examined federal highway spending and safety records by road classification. When adjusted for vehicle miles traveled, some rural local roads had a fatality rate six times greater than urban interstates.

In addition to the tremendous personal and social costs, highway deaths and injuries place a huge burden on the national economy. The U.S. Dept. of Transportation estimates the cost at around \$150 billion annually.





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